

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 24-60271-CIV-DIMITROULEAS

JUDE BOUQUET,

Plaintiff,

vs.

KIRK TANNER,

Defendant.

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**ORDER DENYING MOTION FOR RECONSIDERATION**

THIS CAUSE is before the Court on *pro se* Plaintiff's April 18, 2024 filing, which the Court construes as a Motion for Reconsideration of the Court's February 20, 2024 Order Denying Motion to Proceed In Forma Pauperis; Dismissing Complaint Without Prejudice [DE 4] and the Court's March 7, 2024 Order denying Plaintiff's Motion to Request Fee Waiver [DE 7] (the "Motion") [DE 8]. The Court has carefully considered the Motion and is otherwise fully advised in the premises.


By the instant Motion, Plaintiff appears to request that the Court reconsider its previous orders dismissing Plaintiff's Complaint and denying Plaintiff's request for a fee waiver. "[R]econsideration of a previous order is an extraordinary remedy to be employed sparingly." *Burger King Corp. v. Ashland Equities, Inc.*, 181 F. Supp. 2d 1366, 1370 (S.D. Fla. 2002) (citing *Mannings v. School Board of Hillsborough County*, 149 F.R.D. 235, 235 (M.D. Fla. 1993)). For a court to reconsider its prior judgment the moving party must present facts or law of a "strongly convincing nature" that would induce a court to reverse its prior decision. *Id.* (citing *Sussman v. Salem Saxon & Nielsen, P.A.*, 153 F.R.D. 689, 694 (M.D. Fla 1994)). Three major grounds justify reconsideration: "(1) an intervening change in the controlling law; (2) the availability of

new evidence; and (3) the need to correct clear error or prevent manifest injustice.” *Burger King*, 181 F. Supp. 2d at 1369. “A motion for reconsideration cannot be used to relitigate old matters, raise arguments, or present evidence that could have been raised prior to the entry of judgment.” *Smith v. Ocwen Fin.*, 488 F. App'x 426, 428 (11th Cir. 2012).

Here, Plaintiff fails to meet the requirements for the extraordinary relief of reconsideration. Plaintiff has not established that the Court has subject matter jurisdiction over this action, nor has Plaintiff set forth any argument explaining why the Complaint states a claim for relief.

Accordingly, it is **ORDERED AND ADJUDGED** that the Motion [DE 8] is **DENIED**. The Clerk is **DIRECTED** to mail a copy of this order to Plaintiff at the address listed below.

**DONE AND ORDERED** in Chambers at Fort Lauderdale, Broward County, Florida, this 19th day of April 2024.

  
WILLIAM P. DIMITROULEAS  
United States District Judge

Copies furnished to:  
Counsel of Record

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